

ACTS
OF
ASSEMBLY

VIRGINIA
1908

ACTS
AND
JOINT RESOLUTIONS
PASSED BY THE
GENERAL ASSEMBLY
OF THE
STATE OF VIRGINIA
DURING THE
SESSION OF 1908

RICHMOND:
DAVIS BOTTOM, SUPERINTENDENT OF PUBLIC PRINTING
1908

5. The said town council shall have power to adopt any and all ordinances, and to enforce the same for the regulation of and the improvement of said town, subject, however, to the general statutes of the State of Virginia pertaining to towns.

6. The authorities of the said town shall have the use of the county jail of Henrico county for the safe keeping of all persons who shall be sentenced under the ordinances thereof.

7. The said town shall assume all legal obligations incurred by the commissioners of the northside district.

8. All taxes, levies and debts due to said northside district shall be payable to the said town.

9. To improve the sanitary conditions at once an emergency exists, and this act shall be in force from its passage.

CHAP. 396.—An ACT to repeal sections 1468 and 1500 of the Code of Virginia in reference to public free schools for counties and to the literary fund.

Approved March 16, 1908.

1. Be it enacted by the general assembly of Virginia, That sections fourteen hundred and sixty-eight and fifteen hundred of the Code of Virginia be, and the same are hereby, repealed.

CHAP. 397.—An ACT to amend and re-enact section 4 of the charter of the town of Chatham.

Approved March 16, 1908.

1. Be it enacted by the general assembly of Virginia, That section four of an act entitled "An act to amend and re-enact the charter of the town of Chatham," approved February twenty-first, eighteen hundred and eighty-two, be amended and re-enacted so as to read as follows:

§4. Said mayor and council shall have power to levy taxes for the purposes of the corporation: provided, that the tax so levied upon the real and personal property in said corporation shall not exceed the amount of seventy-five cents upon the one hundred dollars assessed value thereof. No citizen of said corporation shall be required to work on the public roads nor to pay any road tax in Chatham magisterial district if said corporation shall keep its streets and roads in repair, within its corporate limits.

2. An emergency existing by reason of the necessity of levying taxes in said town immediately for its purposes, this act shall be in force from its passage.

CHAP. 398.—An ACT to establish a permanent place in the State penitentiary at Richmond, Va., for the execution of felons upon whom the death penalty is to

be imposed, to change
be by electricity, and

1. Be it enacted by
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2. Each execution s
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3. The clerk of the
against any convict sh
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Richmond. Not more
time fixed, in the jud
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to the said penitentie
scribed by law for the
the penitentiary, and
more than one guard
of such guard or gu
requirements now pr
the penitentiary.

4. The said superi
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At the execution
assistants, the surgeo
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gospel may be present

5. The superinten
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pronounced, who sh
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6. Should the con
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felon be resentenced
inabove provided un

be imposed, to change the mode of execution so that the death sentence shall be by electricity, and to provide an appropriation therefor.

Approved March 16, 1908.

1. Be it enacted by the general assembly of Virginia, That the superintendent of the State penitentiary, at Richmond, is hereby authorized and directed to provide a permanent death chamber within the confines of said penitentiary, and which said death chamber shall have all the necessary appliances for the proper execution of felons by electrocution. In said death chamber shall be executed all felons upon whom the death penalty has been imposed.

2. Each execution shall be conducted by the said superintendent or some assistant or assistants designated by him.

3. The clerk of the court in which is pronounced the sentence of death against any convict shall, as soon as may be, after such sentence, deliver a certified copy thereof to the superintendent of the penitentiary at Richmond. Not more than thirty nor less than fifteen days before the time fixed, in the judgment of the court, for the execution of said sentence, the superintendent of the penitentiary shall cause to be conveyed to the said penitentiary such condemned felon in the manner now prescribed by law for the conveyance of felons sentenced to confinement in the penitentiary, and the superintendent, in his discretion, may appoint more than one guard to convey the condemned felon, and the expenses of such guard or guards shall be paid in the manner and under the requirements now prescribed by law for the conveyance of convicts to the penitentiary.

4. The said superintendent or the assistants appointed by him shall proceed, unless a suspension of execution be ordered, at the time named in said sentence to cause the said felon under sentence of death to be electrocuted until he is dead.

At the execution there shall be present the superintendent, or his assistants, the surgeon of the penitentiary or his assistant and twelve respectable citizens. The counsel for the convict and a minister of the gospel may be present.

5. The superintendent shall certify the fact of the execution of the condemned felon to the clerk of the court by which such sentence was pronounced, who shall file such certificate with the papers of the case and enter the same upon the records of the case.

6. Should the condemned felon, while in the custody of the superintendent of the penitentiary, be granted a reprieve by the governor, or obtain a writ of error from the Supreme court of appeals, or should the execution of the sentence be stayed by any competent judicial proceeding, notice of such reprieve or such writ of error or stay of execution shall be served upon the superintendent of the penitentiary, as well as upon the condemned felon, and the said superintendent shall yield obedience to the same. In any subsequent proceeding the mandate of the court having regard to the condemned felon, shall be served upon the superintendent of the penitentiary as well as the said felon. Should the said felon be resented by the court, then the proceedings shall be as hereinabove provided under the original sentence.